

Served: May 27, 1998

**UNITED STATES OF AMERICA  
DEPARTMENT OF TRANSPORTATION  
OFFICE OF THE SECRETARY  
WASHINGTON, D.C.**

---

**Joint Application of American Airlines, Inc. and British Airways, Plc  
for approval of and antitrust immunity for an alliance agreement  
under 49 U.S.C. §§ 41308 and 41309  
Docket OST-97-2058**

---

**NOTICE**

By motion filed May 22, 1998, the U.S. Department of Justice ("DOJ") requests that the Department of Transportation accord confidential treatment under 14 CFR § 302.39 to two pleadings that DOJ has filed in this proceeding, the first being its "confidential comments" to the joint application, and the second being a "confidential appendix to the comments."

According to DOJ, both the comments and the appendix contain internal business documents obtained by DOJ during its investigation of the proposed alliance as well as exhibits based on detailed fare data obtained by DOJ. The material was obtained either through Civil Investigative Demands issued pursuant to the Antitrust Civil Process Act, 15 U.S.C. §§ 1311-1314, or through voluntary submissions in response to DOJ requests pursuant to which DOJ committed to attempt to maintain the confidentiality of the materials.

DOJ indicates that it has notified the persons who submitted documents and data referred to in the two pleadings, identifying the relevant materials for each. DOJ requests that DOT treat the pleadings and materials contained therein in accordance with its normal interim confidentiality procedures, adopted in this case, but, in addition, that it also "accord confidential treatment to the two pleadings for a minimum of ten days" in order to

give the affected persons a reasonable opportunity to request additional restrictions other than those already in effect in this docket.

In order expedite consideration of these requests, we are setting the date for answers to the motion as 12 noon on Friday, May 29, 1998, and the date for replies as Tuesday, June 2, 1998.

Patrick V. Murphy  
Deputy Assistant Secretary  
for Aviation and International Affairs

Dated: May 27, 1998